

## **REMARKS/ARGUMENTS**

The Office Action dated September 4, 2008 concluded as follows for the subject application:

- Figures 1A, 1B, and 1C are objected to because the two boxes connecting the networks VPN 102a, 132, and VPN 104a are not labeled with text and are not numbered.
- Figures 1A, 1B, and 1C are objected to because they fail to show explicitly and clearly the claimed limitations of “means for automatically changing the point...”, and “transfer means for.”
- The abstract of the disclosure is objected to because the abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52 (b) (4).
- The specification is objected to because the acronym on page 9, “AAA” should be spelled out.
- Claims 1-31 are objected to for claiming a network and not the virtual private network. Claims 5, 13, 15, 17, 25, and 27-31 have all been objected for claiming an internal portion instead of an internal secured portion.
- Claims 1, 2, 4, 11, 17, 18, 20, and 28-31 are rejected under 35 U.S.C. 112, second paragraph or for antecedent basis reasons.
- Claims 1-13, 15, and 17-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Kakemizu et al. (US 200200018456 A1).
- Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakemizu in view of Shapira et al. (US 7107464 B2).

The objections and rejections will be analyzed in turn.

The drawings have been amended as discussed on page 4. Additionally, the second drawing objection is addressed in the claim amendments.

The specification has been amended to include disclosure for connection points (CP) 125 and disclosure for intervening network 132. The specification has been further amended to include a definition for the acronym CoA as well as acronym AAA. Additionally the abstract has been included on a separate sheet as has been requested.

Claims 1-31 have all been amended to shorten the preambles such that the preambles now read as only a network, a method, or a mobile node. As the preambles have been shortened it is no longer necessary to recite a virtual private network instead of a network, as the Examiner had suggested. Additionally the appropriate claims have been amended to recite an internal secured portion instead of an internal portion, and therefore all claim objections should be overcome.

35 USC 112, second paragraph: Excluding claim 24, the remaining claims 1-31 have all been amended. Any antecedent basis problems have been removed. Additionally all “means for” or “transfer means” language has been removed and been replaced with “configured to”. This eliminates the drawing objection in regards to the “means for” and “transfer means” language. Support for this change can be found at least in the Figures 1A, 1B, and 1C in conjunction with Figure 2.

The independent claims have all been amended for clarification purposes. Additionally the dependent claims have been amended for consistency purposes. Claims 19-21 have been cancelled and elements of this claims appear in the amended independent claims. Claims 32-34 have been added. Support for these amendments can be found throughout the specification and the amendments are discussed below in more detail with respect to claim 1. Claim 1 now reads:

A network comprising:  
an internal secured portion;  
an external portion;  
at least **one mobile node** in the external portion;  
at least a first gateway; and  
at least a second gateway, where the internal secured portion connects via the first gateway and the second gateway to the external portion, and  
**the network is configured to change the gateway, which the mobile node uses to communicate with the internal secured portion, from the first gateway to the second gateway in response to movement of the mobile node and in response to a receipt from the mobile node of a new care-of-address that is different from a first care-of-address.** (emphasis added)

Claim 1 has been amended to recite a mobile node instead of a mobile workstation. Support for a mobile node is contained throughout the specification, specifically in Figures 1A, 1B, and 1C.

Claim 1 has been further amended to include “the network is configured to change the gateway, which the mobile node uses to communicate with the internal secured portion, from the first gateway to the second gateway **in response to movement of the mobile node and in response to a receipt from the mobile node of a new care-of-address that is different from a first care-of-address**”. Support for this amendment can be found at least on page 8 of the specification, from line 23 to line 6 of page 9, which reads:

**MN1 detects when it has moved** close to another possible node at which to link into the VPN and informs VCA1. One mechanism for achieving this, is to detect the prefix information in advertisement messages multicast from the node. When a change is detected, **MN1 obtains a new external CoA** using stateless or stateful address autoconfiguration. It then performs a binding update with its HA and SG1. **Thus the new external CoA of MN1 is sent 230 to SG1.** The external CoA has therefore changed at this point, but MN1 is still communicating via SG1. (emphasis added).

A new care-of-address corresponds to the present location of the mobile node in the external network. The remaining independent claims and dependent claims contain similar amendments.

35 USC 102(e): Independent claim 1 is rejected as being anticipated by Kakemizu. Kakemizu discloses a virtual private network (VPN) that works in conjunction with a home authentication server. According to the second, third, fifth, and sixth exemplary embodiments (Figures 25, 26, 28, and 29 respectively) of Kakemizu a method to purportedly reconstruct a VPN when a mobile node moves is disclosed. In the second embodiment beginning at paragraph [0113] and ending at paragraph [0117] of Kakemizu, the VPN is purportedly reconstructed after the user sends a registration request. This registration request includes the address of the old foreign agent. The opening sentence of paragraph [0113] of Kakemizu is reproduced below for reference purposes.

**In FIG. 25, when the MN1 of the user has moved from the FA 21 to a new FA 21' within the same domain, a registration request message (Reg Req) that includes the address of the old FA 21 is transmitted as prescribed in the mobile IP path optimization draft (draft-ietf-mobileip-op-tim-09) ((1)).** (emphasis added)

The address of the old foreign agent is not equivalent to a new care-of-address of the

mobile node that is different from a first care-of-address. Claim 1 contains the language “in response to movement of the mobile node and in response to a receipt from the mobile node of a new care-of-address that is different from a first care-of-address.” The new care-of-address corresponds to the present location of the mobile node in the external portion of the network. In Kakemizu the address that is sent is associated with the previous location of the foreign agent and is equivalent to a first care-of-address. Kakemizu states that the address of the foreign agent is the care-of-address, as shown in lines 3-5 of paragraph [0021] of Kakemizu, reproduced below:

The FA decapsulates an encapsulated packet transmitted to a care-of-address **that is an address of the own node.** (emphasis added)

The address of the old foreign agent then is a first care-of-address. Claim 1 as amended clearly contains the distinction that the new care-of-address is different from a first care-of-address. The remaining disclosure of the second exemplary embodiment in Kakemizu fails to mention the user sending a new care-of-address different from a first care-of-address to a first gateway. The disclosure in regards to the third, fifth, and sixth exemplary embodiments contain the same deficiencies as the disclosure of the second embodiment. For at least this reason, Kakemizu fails to teach: “the network is configured to change the gateway, which the mobile node uses to communicate with the internal secured portion, from the first gateway to the second gateway in response to movement of the mobile node and in response to a receipt from the mobile node of a new care-of-address that is different from a first care-of-address.”. Kakemizu, therefore, fails to anticipate claim 1.

The Shapira reference fails to cure the shortcomings of Kakemizu and for this reason Claim 1 and its corresponding dependent claims should be found allowable.

Claims 27 and 28 have been amended similarly as claim 1. For the same reasons that claim 1 should be allowed, claims 27 and 28, as well as their corresponding dependent claims, should be found allowable.

35 U.S.C. 103(a): Claims 14 and 16 have been rejected as obvious in regards to Kakemizu in

view of Shapira. Claims 14 and 16 are both dependent on claims that should be allowed for reasons argued above, and therefore claims 14 and 16 should be allowed as well.

Newly added claims 32-34 are also deemed to include patentable subject matter as has been argued above. Additionally these claims have support at least on pages 8 and 9, and Figure 2 of the specification. For at least this reason claims 32-34 should be found allowable as well.

The Examiner is respectfully requested to reconsider and remove the rejections of the claims under 35 USC 112, second paragraph, 35 U.S.C. 102(e), and 35 U.S.C. 103(a) and to allow all of the pending claims as now presented for examination. An early notification of the allowability of now pending claims 1-34 is earnestly solicited.

Respectfully submitted:



Harry F. Smith

12/3/2008  
Date

Reg. No.: 32,493

Customer No.: 29683

HARRINGTON & SMITH, PC

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203)925-9400, ext. 15

Facsimile: (203)944-0245

email: hsmith@hspatent.com



## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

Dec. 3, 2008

Date

Paul Conway

Name of Person Making Deposit